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DIVISION  
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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Brad Calder

)  
I hereby certify that this paper is being deposited  
with the United States Postal Service as FIRST-  
CLASS mail in an envelope addressed to:  
Commissioner for Patents, P.O. Box 1450,  
Alexandria, VA 22313-1450, on this date.

Serial No.: 10/659,066

) 11/01/04  
Date Registration No. 35132  
F-CLASS.WCM Attorney for Applicant(s)  
Appr. February 20, 1998

Conf. No.: 3820

Filed: 9/9/2003

For: METHOD AND APPARATUS FOR  
IDENTIFYING SIMILAR REGIONS  
OF A PROGRAM'S EXECUTION

Art Unit: 2122

RECEIVED

NOV 23 2004

OFFICE OF PETITIONS

**SUBMISSION OF FEE DEFICIENCY PURSUANT TO 37 C.F.R. § 1.28(c)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

It was discovered that the filing fee for this application was erroneously submitted as a small entity filing fee on February 2, 2004, when it should have been submitted as a large entity filing fee. In addition, the provisional filing fees in the related provisional applications were also erroneously paid as a small entity. Pursuant to 37 C.F.R. § 1.28(c)(1), separate submissions are being made regarding the provisional applications.

The following shows the calculation of the deficiency owed. The calculation of the deficiency owed is the difference between the filing fee for an application including three independent claims and 53 total claims under the fee schedule in effect as of today's

date, and the \$682.00 amount paid on February 2, 2004, with the filing of this  
application.

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In addition, a further deficiency is the amount for a surcharge for the late filing of an oath or declaration under the current fee schedule, and the \$65.00 small entity amount paid on February 2, 2004, when the completion of missing parts for this application was filed.

Fee Calculation For Claims As Filed

a) Basic Fee		\$ 790.00
b) Independent Claims	<u>3</u> - 3 = <u>01</u>	x \$ 88.00 = \$ 0
c) Total Claims	<u>53</u> - 20 = <u>33</u>	x \$ 18.00 = \$ 594.00
		Total Filing Fee \$1,384.00
		(Previous Filing Fee Paid -682.00)
A.	<u>Total Filing Fee Owed</u>	<u>\$702.00</u>

Surcharge Filing Fee	\$130.00
(Previous SurchARGE Fee Paid	-\$65.00)
B. <u>Total Surcharge Fee Owed</u>	<u>\$65.00</u>

TOTAL OWED (A & B) \$767.00

This itemizes the deficient payments, and the total fees to be paid are \$767.00. A check in the amount of \$767.00 is submitted herewith. Applicants request that the fee payment submitted be accepted. The earlier error in paying the small entity state fees was made unintentionally.

The Commissioner is hereby authorized to charge any deficiencies that to Deposit  
Account No. 07-2069. A duplicate copy of this sheet is enclosed.

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Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

By



Steven P. Fallon  
Registration No. 35,132

November 8, 2004

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